

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORKJONATHAN NNEBE, *et al.*,

Plaintiffs,

-v-

MATTHEW DAUS, *et al.*,

Defendants.

No. 06-cv-4991 (RJS)

CIVIL JUDGMENTRICHARD J. SULLIVAN, Circuit Judge:

On July 25, 2023, the Court selected twenty plaintiffs for a damages trial on each of their claims against Defendants Matthew Daus, Charles Fraser, Joseph Eckstein, Elizabeth Bonina, the New York City Taxi and Limousine Commission, and the City of New York. (Doc. No. 592.) Ten of those plaintiffs opted to proceed with a jury trial (Doc. No. 651-1) while the remaining ten waived their right to a trial and consented to receive only nominal damages (Doc. No. 601). On November 16, 2023, a jury returned a verdict awarding damages to the ten plaintiffs who proceeded with trial. (Doc. No. 656-19). Pursuant to that verdict and the parties' posttrial submissions on prejudgment interest (Doc. Nos. 670, 674), IT IS HEREBY ORDERED, ADJUDGED, and DECREED THAT the following plaintiffs shall have judgment against Defendants on a joint and several basis in the following amounts:

Plaintiff	Compensatory Damages	Nominal Damages ¹	Prejudgment Interest
Abodul Diane	\$19,000.00	-	\$2,375.17
Souleymane Diaby	\$9,000.00	-	\$1,265.41
Khadim Diop	\$22,000.00	-	\$3,331.20

¹ Per the Court's August 16, 2023 order, the ten plaintiffs who were selected for the initial trial but did not appear will receive only nominal damages. (Doc. No. 601.)

Carlos Gonzabay	\$39,000.00	-	\$8,690.00
Dilawer Khan	\$6,000.00	-	\$841.30
Kevin O'Malley	\$22,000.00	-	\$1,480.03
Lenny Polanco	\$42,500.00	-	\$5,121.85
Olson Weekes	\$14,000.00	-	\$1,113.80
Ning Zhang	\$11,500.00	-	\$1,239.09
Kamara-Jai Njenga Warren	\$4,500.00	-	\$332.75
Willy J. Rodriguez	-	\$1.00	-
Ismoil Umarov	-	\$1.00	-
Nur I. Miah	-	\$1.00	-
Chingis Dashitsyrenov	-	\$1.00	-
Ayman I. Hamad	-	\$1.00	-
Junior Heredia Andrade	-	\$1.00	-
Kwasi Manu	-	\$1.00	-
Daniel A. Lasso	-	\$1.00	-
Rafael Manashirov	-	\$1.00	-
Raylel Y. Lorenzo-Grullon	-	\$1.00	-

IT IS ALSO ORDERED THAT each of these judgments shall be a final judgment pursuant to Federal Rule of Civil Procedure 54(b). Even in a multi-party action, “the court may direct entry of a final judgment as to one or more, but fewer than all, claims or parties only if the court expressly determines that there is no just reason for delay.” Fed. R. Civ. P. 54(b). In particular, “Rule 54(b) authorizes entry of judgment in favor of a plaintiff’s damages claims . . . where there has been a finding of liability [in favor of the plaintiff] and the court has fixed [his] damages.” *Linde v. Arab Bank, PLC*, 882 F.3d 314, 323 (2d Cir. 2018) (internal quotation marks omitted). Those requirements are met here. The Court previously found liability in favor of these plaintiffs in its December 31, 2020 order (Doc. No. 481) and has now fixed each of their damages as enumerated

above. Although other plaintiffs still have outstanding damages claims, there is no just reason to delay entry of judgment in favor of the twenty plaintiffs who were selected for the initial trial and whose damages claims have been fully adjudicated. The case shall remain open for the remaining plaintiffs.

SO ORDERED.

Dated: December 22, 2023
New York, New York

A handwritten signature in blue ink, appearing to read 'R. Sullivan', is written over a horizontal line.

RICHARD J. SULLIVAN
UNITED STATES CIRCUIT JUDGE
Sitting by Designation